

CEDRIC WAYNE BAGBY §
VS. § CIVIL ACTION NO. 1:16-CV-142
SHANE GAZAWAY §

Plaintiff Cedric Wayne Bagby, a prisoner confined at the Segovia Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff sought leave to proceed *in forma pauperis*.

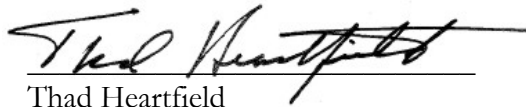
The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending that plaintiff should be denied leave to proceed *in forma pauperis*, and the action should be dismissed pursuant to 28 U.S.C. § 1915(g).

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and the pleadings. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge (document no. 3) is **ADOPTED**. Plaintiff's motion for leave

to proceed *in forma pauperis* (document no. 2) is **DENIED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED this the **28** day of **July, 2016**.

A handwritten signature in black ink, reading "Thad Heartfield", written over a horizontal line.

Thad Heartfield
United States District Judge